

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jesse Randolph Modlin

Docket No. 5:13-CR-246-1FL

Petition for Action on Probation

COMES NOW Keith W. Lawrence, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jesse Randolph Modlin, who, upon an earlier plea of guilty to Driving While Impaired-Aggravated Level 1, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1 and 179(f3), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on February 9, 2016, to a 48-month term of probation under the conditions adopted by the court. As a result of the defendant testing positive for cocaine on July 19, 2016, a Violation Report was forwarded to the court. On February 1, 2017, the court struck the remaining 21 days of intermittent confinement and placed the defendant on 30 days of curfew. On March 20, 2018, as a result of the defendant being charged with Larceny, a Violation Report was forwarded to the court. On June 25, 2018, as a result of the defendant being charged with Driving While License Revoked, Expired Registration, Fictitious/Altered Title/Registration Card/Tag, and No Liability Insurance, the court modified his conditions of probation to include 60 days of curfew.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On July 31, August 1, August 2, August 4, and August 5, 2018, the defendant violated his 6:00pm curfew by not returning home by that designated time. As a sanction for this conduct and in an effort to deter future violations, we would respectfully recommend that his supervision be modified to include an additional 30 days of curfew. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for an additional period of 30 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Michael C. Brittain

Michael C. Brittain

Supervising U.S. Probation Officer

/s/ Keith W. Lawrence

Keith W. Lawrence

Senior U.S. Probation Officer

150 Rowan Street, Suite 110


Fayetteville, NC 28301-4920

Phone: 910-354-2538

Executed On: August 7, 2018

ORDER OF THE COURT

Considered and ordered this 7th day of August, 2018, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge